

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**HITUL GANDHI, Individually and on
behalf of a class of others similarly
situated,
Plaintiff,**

VS.

**DELL INC., and DELL MARKETING
USA, L.P.,
Defendants.**

**CATHERINE L. DAVIS and TOMMY
MOORE, Individually and on Behalf of
Others similarly situated,
Plaintiffs,**

VS.

**DELL, INC. d/b/a DELL COMPUTER,
INC., a Delaware corporation, DELL USA
L.P., a Texas Limited Partnership and
DELL MARKETING L.P., a Texas
Limited Partnership,
Defendants.**

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CAUSE NO. A-08-CA-248-JRN

CAUSE NO. A-08-CA-794-JRN
(Consolidated)

NOTICE OF FILING CONSENT TO BECOME PARTY PLAINTIFF

PLEASE BE ON NOTICE, that Plaintiffs hereby file Notice of Filing Consent to Become Party Plaintiff form, attached hereto as Exhibit A, for the following individual class member:

1. Frances L. Birchum

DATED: May 6, 2009.

Respectfully submitted,

/s/ Allison B. Waters

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Allison B. Waters, TBN 00795994

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of May, 2009, a copy of the foregoing pleading was filed electronically with the Clerk of Court to be served by operation of the court's electronic filing system and by facsimile to all counsel of record.

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/s/Allison B. Waters
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